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## SOUTH VIETNAM

## The Tran Ngoc Chau Affair

In early 1970, the Thieu regime convicted a prominent South Vietnamese congressman, Tran Ngoc Chau, and jailed him. Technically, Chau's offense was having contact with a brother who was a North Vietnamese spy (despite the fact that Chau was trying to get his brother to defect to the South Vietnamese side). Actually, Chau's offense was that he challenged President Thieu politically.

There is nothing new in the persecution of political dissidents in South Vietnam. But there is something new in the American Embassy's virtual support for repression of a dynamic and effective anti-Communist leader of national stature, one who had worked closely with the Americans.

Judged by traditional American standards, the Chau case is an unhappy precedent in this period of American withdrawal from Vietnam. It suggests that going along with Thieu is more important than justice.

Chau is now in a cell in Saigon's Chi Hoa prison. There Thieu wants him to remain, and there he remains, despite two Supreme Court rulings to the contrary. A mandarin turned democrat; an idealist turned unsuccessful martyr; a former Viet Minh turned Diem loyalist turned disillusioned admirer of American virtues; a passionate nationalist; an honest, proud, stubborn, sentimental person, Chau is a quintessential—and forgotten—man in the middle.

In one sense the case of Deputy Chau is by now a dead issue. It is six months since the definitive Supreme Court ruling that Chau should be freed. And Chau continues to languish in Chi Hoa, unremembered. Even his bid for political martyrdom has fizzled. Yet the Chau affair does live on, for it effectively charts the evolving political landscape.

In brief, Chau was convicted and jailed not for being a former Viet Minh (which he was), or pro-Communist (which he was not), but for not informing on his brother, who

many South Vietnamese with brothers on "the other side," Deputy Chau was the one prosecuted because he crossed Nguyen Van Thieu politically—and because he was weak enough for Thieu to crush as an example to other, more powerful rivals.

Several legal and political issues arose in the course of the Chau affair as it stretched out over 1969 and 1970. The legal issues, as defined by the South Vietnamese Supreme Court, involved violation of Chau's parliamentary immunity; unconstitutional jurisdiction over a civilian case by a politically malleable, no-appeal military field court; and President Thieu's disregard of Supreme Court decisions.

Politically, the outcome of the Chau case confirmed, for the present, Thieu's supremacy in Saigon. But perhaps more significantly, it revealed the U.S. preference for stability over legality in South Vietnam.

## Chau's rise

Characteristically, for he is an independent man, Tran Ngoc Chau quit the Viet Minh in 1949. By then he had become disenchanted with the Communist take-over of the Viet Minh resistance, and with Communist murder of competing nationalists. He began making a name for himself in the early 1960s, when he was appointed province chief of Kienhoa in the Mekong Delta of South Vietnam. In this period, just prior to and after the assassination of President Ngo Dinh Diem, South Vietnam was in chaos, with the government losing one district and one battalion a week. Kienhoa had been a longtime Viet Minh-Viet Cong stronghold, yet Chau increased government control in the provinces from 15 percent to 57 percent of the population, according to a cautious American estimate at the time.

He did not accomplish this feat by military victories. Instead, he buttressed the existing leadership of the religious groups—Buddhist, Hoa Hao, Cao Dai, and Catholic—as the only strong social structures apart from the South Vietnamese Army and the National Liberation Front. Simultaneously, Chau provided channels for the population to improve its lot. He allowed villagers to bring complaints directly to him, and then

acted immediately to rectify injustices. He experimented, too, with a prototype of what would become the Revolutionary Development cadres—the paramilitary defense, intelligence, and pacification workers in villages and hamlets.

His ideas caught on, and Revolutionary Development, funded and sponsored by the American CIA, was established as a national program. At the end of 1968, Chau was appointed national training director. (Contrary to some news reports, this job, plus the routine contact he had as a province chief, was Chau's only association with the CIA. He was never an American intelligence agent.)

At the training center Chau soon found himself in conflict with the powerful CIA. In vain Chau wished the Americans to be less obtrusive than they were. In vain he wished the RD village teams to emphasize redress of villagers' grievances rather than intelligence gathering. Within six months, the arguments became so acute that Chau resigned as director of training.

Not unnaturally, Chau's discontent with heavy-handed American influence in Vietnam, and with the government of the flamboyant Premier Ky, led him into politics. In 1967 he ran for deputy to the Lower House from Kienhoa, collecting one of the largest votes received by any elected deputy.

The future looked hopeful. Nguyen Van Thieu, with whom Chau had been friendly in earlier days when they were both junior army officers under Diem, had by now supplanted Nguyen Cao Ky as top man in Saigon. Chau expected improvements, and he counted himself basically pro-government.

Thieu and Chau began to fall out sometime during 1968. The Tet offensive and its aftermath prompted Chau to think about a political settlement to the war. Specifically, Chau was one of the first to suspect that the Tet offensive would prove to be the last straw for the United States, and he felt that Washington would henceforth try to disengage from Vietnam.

He believed that the United States would not be interested only in containing the military and political situation long enough to withdraw without the appearance of defeat. But he was convinced that the kind of short-